

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8666 of 2024

Arising Out of PS. Case No.-115 Year-2022 Thana- GHOGHARDIHA District- Madhubani

KAUSHAL YADAV @ KOSHLENDRA Son of Late Shakti Yadav @ Late Shakti Prasad Yadav Resident of Village-Baskari, P.S.-Ghoghardiha, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Ghoghardiha P.S. Case No. 115 of 2022, G.R. No. 721 of 2022, instituted for the offences under Section 414 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 107.7 litres of illicit *nepali* liquor was recovered from the three bags loaded



on a motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. FIR is lodged against unknown persons. The name of the transpired during investigation due to the fact that the vehicle from which the recovery has been made is registered in the name of the father of this petitioner. Learned counsel further submitted that the said motorcycle was given to the neighbour of this petitioner and this petitioner was unaware of the fact that the said vehicle was being used for illegal sale and purchase of the liquor. No incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.11.2023 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of Court
below/concerned Court in connection with Ghoghardiha P.S.
Case No. 115 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

